

Mandatory Reporter Training Curricula - DPH

135.11 Duties of department.

The director of public health shall be the head of the "Iowa Department of Public Health", which shall:

1. Exercise general supervision over the public health, promote public hygiene and sanitation, prevent substance abuse and unless otherwise provided, enforce the laws relating to the same.
2. Conduct campaigns for the education of the people in hygiene and sanitation.
3. Issue monthly health bulletins containing fundamental health principles and other health data deemed of public interest.
4. Make investigations and surveys in respect to the causes of disease and epidemics, and the effect of locality, employment, and living conditions upon the public health. For this purpose the department may use the services of the experts connected with the state hygienic laboratory at the state university of Iowa.
5. Establish stations throughout the state for the distribution of antitoxins and vaccines to physicians, druggists, and other persons, at cost. All antitoxin and vaccine thus distributed shall be labeled "Iowa Department of Public Health".
6. Exercise general supervision over the administration and enforcement of the sexually transmitted diseases and infections law, [chapter 139A, subchapter II](#).
7. Exercise sole jurisdiction over the disposal and transportation of the dead bodies of human beings and prescribe the methods to be used in preparing such bodies for disposal and transportation. However, the department may approve a request for an exception to the application of specific embalming and disposition rules adopted pursuant to [this subsection](#) if such rules would otherwise conflict with tenets and practices of a recognized religious denomination to which the deceased individual adhered or of which denomination the deceased individual was a member. The department shall inform the board of mortuary science of any such approved exception which may affect services provided by a funeral director licensed pursuant to [chapter 156](#).
8. Establish, publish, and enforce rules which require companies, corporations, and other entities to obtain a permit from the department prior to scattering cremated human remains.
9. Exercise general supervision over the administration and enforcement of the vital statistics law, [chapter 144](#).
10. Enforce the law relative to [chapter 146](#) and "Health-related Professions", [Title IV, subtitle 3](#), excluding [chapter 155](#).
11. Establish and maintain divisions as are necessary for the proper enforcement of the laws administered by the department.
12. Establish, publish, and enforce rules not inconsistent with law for the enforcement of the provisions of [chapters 125](#) and [155](#), and [Title IV, subtitle 2](#), excluding [chapter 146](#) and for the enforcement of the various laws, the administration and supervision of which are imposed upon the department.
13. Administer healthy aging and essential public health services by approving grants of state funds to the local boards of health for the purposes of promoting healthy aging throughout the lifespan and enhancing health promotion and disease prevention services, and by providing guidelines for the approval of the grants and allocation of the state funds. Guidelines, evaluation requirements and formula allocation procedures for the services shall be established by the department by rule.
14. Administer [chapters 125](#), [136A](#), [136C](#), [139A](#), [142](#), [142A](#), [144](#), and [147A](#).
15. Issue an annual report to the governor as provided in [section 7E.3, subsection 4](#).
16. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and the Des Moines university — osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.
17. Administer the statewide maternal and child health program and the program for children with disabilities by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential conditions which may cause

disabilities and children with chronic illnesses in accordance with the requirements of Tit. V of the federal Social Security Act. The department shall provide technical assistance to encourage the coordination and collaboration of state agencies in developing outreach centers which provide publicly supported services for pregnant women, infants, and children. The department shall also, through cooperation and collaborative agreements with the department of human services and the mobile and regional child health specialty clinics, establish common intake proceedings for maternal and child health services. The department shall work in cooperation with the legislative services agency in monitoring the effectiveness of the maternal and child health centers, including the provision of transportation for patient appointments and the keeping of scheduled appointments.

18. Establish, publish, and enforce rules requiring prompt reporting of methemoglobinemia, pesticide poisoning, and the reportable poisonings and illnesses established pursuant to [section 139A.21](#).

19. Collect and maintain reports of pesticide poisonings and other poisonings, illnesses, or injuries caused by selected chemical or physical agents, including methemoglobinemia and pesticide and fertilizer hypersensitivity; and compile and publish, annually, a statewide and county-by-county profile based on the reports.

20. Adopt rules which require personnel of a licensed hospice, of a homemaker-home health aide provider agency which receives state homemaker-home health aide funds, or of an agency which provides respite care services and receives funds to complete training concerning blood-borne pathogens, including human immunodeficiency virus and viral hepatitis, consistent with standards from the federal occupational safety and health administration.

21. Adopt rules which require all emergency medical services personnel, firefighters, and law enforcement personnel to complete training concerning blood-borne pathogens, including human immunodeficiency virus and viral hepatitis, consistent with standards from the federal occupational safety and health administration.

22. Adopt rules which provide for the testing of a convicted or alleged offender for the human immunodeficiency virus pursuant to [sections 915.40 through 915.43](#). The rules shall provide for the provision of counseling, health care, and support services to the victim.

23. Establish ad hoc and advisory committees to the director in areas where technical expertise is not otherwise readily available. Members may be compensated for their actual and necessary expenses incurred in the performance of their duties. To encourage health consumer participation, public members may also receive a per diem as specified in [section 7E.6](#) if funds are available and the per diem is determined to be appropriate by the director. Expense moneys paid to the members shall be paid from funds appropriated to the department. A majority of the members of such a committee constitutes a quorum.

24. Review and approve mandatory reporter training curricula for those persons who work in a position classification that under law makes the persons mandatory reporters of child or dependent adult abuse and the position classification does not have a mandatory reporter training curriculum approved by a licensing or examining board.

25. Administer annual grants to county boards of health for the purpose of conducting programs for the testing of private water supply wells, the closing of abandoned private water supply wells, and the renovation or rehabilitation of private water supply wells. Grants shall be funded through moneys transferred to the department from the agriculture management account of the groundwater protection fund pursuant to [section 455E.11, subsection 2](#), paragraph "b", subparagraph (3), subparagraph division (b). The department shall adopt rules relating to the awarding of the grants.

26. Establish and administer, if sufficient funds are available to the department, a program to assess and forecast health workforce supply and demand in the state for the purpose of identifying current and projected workforce needs. The program may collect, analyze, and report data that furthers the purpose of the program. The program shall not release information that permits identification of individual respondents of program surveys.

27. In consultation with the advisory committee for perinatal guidelines, develop and maintain the statewide perinatal program based on the recommendations of the American academy of pediatrics and the American college of obstetricians and gynecologists contained in the most recent edition of the guidelines for perinatal care, and shall adopt rules in accordance with [chapter 17A](#) to implement those recommendations. Hospitals within the state shall determine whether to participate in the statewide perinatal program, and select the hospital's level of participation in the program. A hospital having determined to participate in the program shall comply with the guidelines appropriate to the level of participation selected by the hospital. Perinatal program surveys and reports are

privileged and confidential and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the affected hospital, and are not admissible in evidence in a judicial or administrative proceeding other than a proceeding involving verification of the participating hospital under [this subsection](#).

28. In consultation with the department of corrections, the antibiotic resistance task force, and the American federation of state, county and municipal employees, develop educational programs to increase awareness and utilization of infection control practices in institutions listed in [section 904.102](#).

29. Administer the Iowa youth survey, in collaboration with other state agencies, as appropriate, every two years to students in grades six, eight, and eleven in Iowa's public and nonpublic schools. Survey data shall be evaluated and reported, with aggregate data available online at the Iowa youth survey internet site.

CHAPTER 93

MANDATORY REPORTER TRAINING CURRICULA

641—93.1(135) Purpose. The purpose of the mandatory reporter training curricula process is to provide an objective method by which curricula for child and dependent adult abuse mandatory reporter training are reviewed and approved. Approved curricula are to be taught to persons who work in a position classification that under law makes the persons mandatory reporters of child or dependent adult abuse and the position classification does not have a mandatory reporter training curriculum approved by a licensing or examining board.

641—93.2(135) Panel. Rescinded **ARC 1300C**, IAB 2/5/14, effective 3/12/14.

641—93.3(135) Meetings. Rescinded **ARC 1300C**, IAB 2/5/14, effective 3/12/14.

641—93.4(135) Duties. The department shall perform the following duties:

1. Review and approve criteria for child and dependent adult abuse curricula for persons who work in a position classification that under law makes the persons mandatory reporters of child or dependent adult abuse and the position classification does not have a mandatory reporter training curriculum approved by a licensing or examining board.
2. Conduct literature reviews and scrutinize existing research pertinent to its purpose.
3. Review curricula based on the criteria established in rule 93.5(135).
4. Report decisions regarding approvals or denials to applicants.
5. Review appeals as provided in rule 93.7(135).
6. Maintain a list of all approved curricula and distribute the list upon request.

641—93.5(135) Standards for approval of curricula. The following criteria are established to assist in evaluation of curricula. Nothing in this rule shall preclude providers from offering additional coursework, training, or information that exceeds or expands upon the curriculum prescribed by the department. At a minimum, approved curricula shall contain each of the following:

93.5(1) Content that necessitates at least two hours of training.

93.5(2) The definition of child abuse as defined in Iowa Code section 232.68(2) or the definition of dependent adult abuse as defined in Iowa Code section 235B.2(5) or both.

93.5(3) Training in the physical, psychological, behavioral, environmental, and other relevant indicators of child abuse as defined in Iowa Code section 232.68(2) or dependent adult abuse as defined in Iowa Code section 235B.2(5) or both.

93.5(4) Requirements and procedures for reporting suspected cases of abuse, including when to report, how to report, and to whom to report.

93.5(5) Review of the Code of Iowa and the Iowa Administrative Code pertaining to child or dependent adult abuse, including review of the classifications of mandatory reporters, confidentiality provisions, immunity provisions, and penalties for failure to report.

93.5(6) A description of the assessment protocol utilized by the department of human services and other investigating agencies following receipt of a report and the manner in which information is shared between the department of human services and the reporter, other relevant individuals, agencies, and entities.

93.5(7) An evaluation component to assess the understanding, knowledge, and skills acquired.

93.5(8) Resource materials or information in the following areas:

- a. The causes and risk factors of child or dependent adult abuse;
- b. Assisting individuals and families who have experienced child or dependent adult abuse, including information on local resources and available referral services;
- c. Prevention of child or dependent adult abuse.

641—93.6(135)

Process for application review and approval.

93.6(1) Submission and decision. An organization, institution, agency, or individual may submit an application for approval of curriculum on a form prescribed by the department. The application shall at a minimum demonstrate the manner in which the proposed curriculum meets the criteria in rule 93.5(135). Within three months of submission of an application, the department shall review the application and issue a written decision regarding the application. If each of the standards for approval has been satisfied,

the department shall approve the curriculum for a period of three years and shall notify the applicant of the department's decision in writing. If the standards for approval have not been met, the department shall deny the curriculum and shall provide to the applicant a written explanation of the reason for denial.

93.6(2) *Renewal.* Within 90 days of expiration of the three-year approval period, an applicant may apply for approval renewal by completing a renewal of application form provided by the department.

93.6(3) *Additional information.* The department may request additional information from the applicant or other individuals at any phase in the review process.

93.6(4) *Evaluation of approved curriculum.* The department may at any time reevaluate an approved curriculum. Upon evidence of a significant variation in the curriculum presented from the curriculum approved, the department may disapprove all or any part of the previously approved curriculum.

93.6(5) *Amendment to approved curriculum.* The department may require amendments to an approved curriculum based on legislative or administrative rule changes.

[ARC 1300C, IAB 2/5/14, effective 3/12/14]

641—93.7(135) *Process for appeal.* A person aggrieved by a department decision may, within 30 days of receipt of the decision, appeal the decision by submitting a written appeal to the department which states the reason for the appeal. Within 60 days of receipt of the appeal, the department shall review the application and any additional information submitted. If the department finds that each of the standards for approval has been satisfied, the department shall approve the curriculum. If the standards for approval

have not been met, the department shall deny the curriculum. The department shall provide a written explanation of the reasons for the approval or denial of approval. This decision is the final action of the department and shall be considered final agency action for purposes of judicial review. The appeal review process is not a contested case proceeding as that term is defined in Iowa Code chapter 17A.

[ARC 1300C, IAB 2/5/14, effective 3/12/14]

These rules are intended to implement Iowa Code section 135.11(24) as amended by 2013 Iowa Acts, Senate File 396, section 49.